

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

1

The Council convened a hybrid meeting at the Public Service Center, 1300 Franklin Street, sixth floor, Vancouver, Washington. Councilors Glen Yung, Gary Medvigy and Sue Marshall attended in person. Councilors Michelle Belkot and Karen Dill Bowerman, Chair, attended via WebEx.

PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

The Council will consider Housing code amendments and comprehensive plan text and policy amendments related to middle housing and smaller single-family homes: Proposal to amend Clark County Code sections: 40.100.070-Definitions; 40.220.010-Urban Residential Districts; and 40.340.010- Parking, Loading and Circulation; and Clark County Code Chapters 40.260-Special Uses and Standards; and 40.520-Permits and Reviews. The proposal also includes amendments to text and policy in the 2015-2035 Clark County Comprehensive Plan's Land Use and Housing Element chapters. These proposed code and comprehensive plan amendments address short-term implementation strategies detailed in the previously adopted Housing Options Study and Action Plan (HOSAP) for smaller single-family detached homes and middle housing, including ADUs, duplexes, triplexes, quadplexes, townhouses and cottages in the existing low-density residential zones within the unincorporated Vancouver Urban Growth Area.

OTTO: Chair, we're live.

BOWERMAN: Thank you so much. And welcome back from our brief recess, 20-minute recess, for the public hearing on the Housing Options Study And Action Plan which we have returned for.

We wish to begin by hearing of course the staff report, the public comment on the hearing, and then we will have Council deliberations to talk about where we go from here. So let's

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

2

begin with the staff report and, Oliver Orjiako, I believe you are the person who may kick us off and maybe Jose takes it from there, but we look forward to hearing from you.

ORJIAKO: Good afternoon, Madam Chair. For the record Oliver Orjiako, and good afternoon Councilors. Before I turn this over to our consultant and staff, I would just like to make a very brief opening remarks before we proceed.

Councilors, when we started this work we realized that there is a housing affordability crisis. What is before you is the recommendation of the Phase 1 implementation that you directed staff to commence upon the adoption. Council directed staff to begin implementation of the short-term code based strategies upon adoption of the Housing Option Study and Action Plan.

So as I stated, before you is Phase 1 of the implementation as recommended by the Planning Commission and the focus of that is on middle housing and single-family code amendments of which the goal is to provide opportunity for a variety of housing types by increasing the availability of more types of units, and in doing so we believe it is fostering the creation of new housing stock through opportunities to construct more units and you're going to hear from so many community members.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

3

This project involved in the beginning so many partners that were involved in the development of the strategies and the policies that was, that the Council approved. So this again is an opportunity to increase ownership opportunities for providing smaller type multi-family buildings such as duplex, triplex, fourplex and townhouses.

I will also add that the House Bill, you hear me often talk about that House Bill 1220, it requires that Clark County to provide, not to provide, but to plan for diversity of housing in various income plans and that implies really very low, low income and middle housing, middle income levels.

The provisions in the code amendment are really intended to expand the County's housing supply and help address the ongoing affordable housing crisis. We, as you will hear and as the Planning Commission reviewed this and made their recommendation, this type of unit will not happen overnight but incrementally.

Studies show that neighborhoods are more stable when this type of housing are built and maintained by resident owners. And I must finally add that what we are proposing here provides more options for our children to live in the community where they grew up.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

4

We're already beginning Phase 2 of the continuation of the work which is currently underway. So whatever decision you make today will help us, firstly, take that Phase 2 of the housing project.

With that, let me turn it over to Susan Ellinger followed by Elizabeth Decker, and I must commend them, I know that Jacqui Kamp, you know, left for family reason to return to the East Coast, she was the program lead staff on this, and I commend my staff who have taken over and also Elizabeth Decker, she's one of the consultants, Steve Faust, I don't know if Steve is online, but with that, let me turn it over to Susan. Thank you, Councilors.

ELLINGER: Thank you, Oliver. Elizabeth is actually going to do the background and then I'll go next. Thanks.

DECKER: All right. Good afternoon, Council. Madam Chair, thank you for having us here. Elizabeth Decker with JET Planning, part of the consultant team. And if we could advance to the next slide, please. I'm here to just give you a little project background. Two more if you would, please.

So as Oliver mentioned, this project comes out of the Housing Option Study and Action Plan that was approved by the County

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

5

Council last May, that's a project that began back in 2019 and continued over the course of several years to understand local housing challenges and specifically focused on the unincorporated Vancouver urban growth area and looking there to encourage creation of housing for particularly looking at low and moderate income households.

So the first part is how we can remove regulatory barriers, that's certainly in the code and within the County's purview, as well as consider other strategies that can support the creation of housing through programs and partnerships with a lot of our partners here in the county.

And the goal there is providing a variety of affordable, quality and flexible housing choices for our future generations. And the plan that came out was adopted approximately a year ago, was based around five housing objectives I'll touch on, and a variety of implementation strategies.

As Oliver mentioned, the first batch of implementation strategies were short-term code strategies within the County's adopted code. And the direction from Council was to direct staff to begin implementation on these strategies and we've broken those short-term strategies up into a Phase 1 that's before you today focused on middle housing and smaller

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

6

single-family, and the multi-family and affordable housing code projects we batched in a Phase 2.

Some initial phases are underway, but we are -- we'll continue to proceed based on some of the outcomes with this work today. And those five housing objectives - next if you would please - that the plan is based around to get just to really ground our conversation today what these code updates are intending to support is these five housing strategies looking at both expanding the types of housing currently being built and creating opportunities for new types of housing that have not been seen or imagined so far.

And so that looks like providing housing for middle income households, housing that's affordable to low, very low and extremely low income households, that will be more of a Phase 2 of those code projects. But the middle income households, that's really where this middle housing and smaller single-family code updates come into play providing that diversity of housing types and tenure.

So both rental and ownership projects, a variety of housing sizes, that's also something that middle housing and smaller single-family can help provide. These code updates really focus on creating more options for different sizes of projects. And

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

7

then of course making sure that housing is located in areas with or that can be provided with access to a range of community amenities. And next, please.

And as we work to develop this Phase 1 and will carry into the Phase 2 as well on these code updates, we began with some code concepts a little less than a year ago in the fall and we engaged, we convened a forum rather than a Stakeholder Advisory Committee and that forum was really intended to be a listening board to provide us with some on the ground expertise and variety of perspectives.

We drew those forum participants from our stakeholder group that was engaged in the Housing Option Study and Action Plan, former members of the Planning Commission, as well as members of the Development Engineering and Advisory Board, we extended an invitation to all three of those groups and based on the interest expressed convened this forum to help advise us on those code concepts and then moving into the code amendments.

And in addition to the forum participants, we also had public open house during that process to help us refine those. And here we are in the adoption process having gone to Planning Commission for work sessions, multiple work sessions and a hearing last month, and now before you for a public hearing.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

8

And so next.

And so, in summary, you can see the different ways that we've engaged a range of stakeholders throughout this process, including that forum series as I mentioned, the review of the draft code, the multiple times that we've gone to the Development Engineering and Advisory Board to get their feedback and the adoption process culminating today in this hearing July 25th.

And just one other clarification about the forum is that we convened it as more of a listening board to get that feedback from stakeholders and it was not charged with or convened as explicitly an advisory group, and so to clearly represent the work that they made they did not make a recommendation on this draft code, it was really just more of a sounding board and to help us refine that as we moved forward.

They really gave us a lot of useful input, project examples and ideas and that were incorporated into the balance of issues that's reflected in the draft code and I definitely would like to thank all the members of our forum for all the meetings and feedback and additional materials that they provided with us to make that code draft as good as it can be.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

9

And with that, I'll hand it over to Susan Ellinger to talk about the first piece of the proposal before you to amend the Comprehensive Plan. Thanks.

ELLINGER: Thanks, Elizabeth. For the record my name is Susan Ellinger, I'm with Community Planning. So in the package we've provided you today we've included comprehensive plan text changes that correspond with the proposed code changes that we'll be discussing later, and the Comprehensive Plan changes are included in Attachment B to the Planning Commission recommendation. In several locations -- oh, sorry. Next slide, please. Thank you.

In several locations in the Comprehensive Plan text we propose the addition of the term middle housing and that's to incorporate the types of housing that are included in those proposed changes. We also include a definition for the term middle housing in the glossary, and as proposed middle housing means duplexes, triplexes, quadplexes and single-family attached dwellings or townhouses. Next slide, please.

In the Land Use Element of the Comprehensive Plan we incorporate the term middle housing where currently only single-family residential is referenced within the low density residential zones. We propose removing language related to some reference

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

10

densities that are no longer relevant.

We also propose removing language that refers to duplexes and attached single-family and in-fill or planned unit development because the proposal expands the locations where these types of units can be proposed. The proposal also includes text changes to clarify other references to urban residential densities and density averages. Next slide, please.

And finally in the Housing Element of the Comprehensive Plan we've included changes to the language regarding accessory dwelling units or ADUs and these updates reflect recent changes to State law and reflect the code changes that are before you today. Updates also include the addition of middle housing types such as duplexes, triplexes and quadplexes within the low density residential zones.

So that's the end of the proposed Comprehensive Plan changes and I'm going to pass it back to Elizabeth to talk about the code changes.

DECKER: Great. Thank you, Susan. So to get into the bulk of the code updates that are consistent with the proposed comp plan amendments, if you would please, just again this is the Phase 1 and we've batched these code updates because they're focused

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

11

specifically on what's termed the R1 zones currently called the single-family but we're proposing to rename them the low density residential districts with this because of the variety of housing that's being proposed focused around enhancing feasibility of these smaller single-family detached homes as well as the options for middle housing.

As Susan mentioned, it's sort of a mouthful, the middle housing is easier to say than every time to list out ADUs, duplexes, triplexes, quadplexes, cottage housing, compact lots and townhouses, and these changes are in your packets I believe in Attachment C throughout the code.

ELLINGER: Attachment A.

DECKER: Attachment A. Thank you. And next slide if you will. So in Attachment A you'll see all the chapters of the County Code but for our discussion purposes today we want to talk about these more in terms of concepts and then are happy to answer specific questions about the code sections, but there's six main concepts we'll talk about, what these changes are intended to accomplish in order to move forward those objectives of the Housing Option Study and Action Plan.

So the first one is using land more efficiently and this

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

12

strategy the key implementation pieces are around decreasing the minimum lot size in existing residential areas for single-family homes - oh, go to the next slide, please - in order to allow more homes to be built.

So in all five of these R1 zones we're looking at a modest decrease of about 10 to 20 percent to the existing lot sizes and so that just allows more homes on the same amount of area, but still consistent generally with the scale of development in the area. And we're proposing corresponding adjustments to some of the lot dimensions including the maximum lot coverage and the densities in order to make that math work out. Next slide if you would.

And you can see how this lays out, we've highlighted the changes, the key changes in this attached table. Again, that first row we've, the proposed code includes minimum lot sizes which are allowed to be averages in subdivisions, so that just adds a little bit of extra flexibility, and these decreases are about 10 to 20 percent, they're intentionally scaled so that the proposed decrease does not step down so much that it becomes the existing minimum lot size in the next most dense zone.

So the best explanation of that is if you look at the R1-6 zone, right now that's 6,000-square feet, the 10 percent decrease

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

13

proposed is to a 5500-square foot lot size. We didn't want to propose stepping it down to 5,000-square feet which would be a 20 percent decrease because 5,000 is already the minimum lot size in the R1-5 zone and we didn't want people feeling that, you know, this is really a stealth rezone, you've just taken this and turned it into an R1-5 zone, so we wanted to stay within the ranges that are within the existing plan and the existing code. And then the lighter yellow here highlights those corresponding adjustments as mentioned.

We had significant discussion throughout our stakeholder group with the housing options plan and in our forum about how to best adjust maximum lot coverage in recognition that these are slightly smaller lots. And so in order to continue to use these lots to provide adequate housing, similar building footprints, what that would look like, and so the proposed modest increases to the lot coverage we really found were most applicable for the R1-6 and the R1-5 zones.

You can see a 5 and a 10 percent increase proposed there, and those proposed increases are based on allowing the same size building footprint that's currently permitted on the existing lot with the existing 50 percent lot coverage, and so the modest increases allow that building footprint to stay the same even as the lot size is slightly decreased, that's where those numbers

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

14

come from.

So next slide please, talks about really the core of this proposal - oh, one back. Yeah, there you go. - is more housing variety in more neighborhoods and that's where we're talking about expanding duplexes, townhouses and cottage housing which are housing types already permitted in the County Code, but proposing to allow those in all of the R1 zones.

And then introducing triplexes and quadplexes as a proposed use in select zones, so you'll see those are in the more dense zones towards the R1-7.5, R1-6 and R1-5 zones. We're also proposing a new housing type called the compact lot development option that really is targeted at more in-fill opportunities, smaller sites where additional flexibility can provide more homes and more development options.

And then the County has really been the leader on ADUs, and so this work continues to permit ADUs in all zones with some additional adjustments to those standards to increase flexibility and feasibility. So if we look at the broad picture in the next slide you can see how the housing types are really being expanded across all five of these zones so that there's more options in more places, duplexes across all zones.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

15

And then townhouses and you'll notice there's a distinction with the townhouses, there's two units, two attached units being proposed in the R1-20 and R1-10 zones and up to four attached units in the R1-7.5, R1-6 and R1-5, and that mirrors the proposal to allow duplexes in the R1-20 and R1-10 to introduce those uses, but not yet to introduce the triplexes and quadplexes.

The balance of input that we got and the feedback was that those larger lots and those existing development patterns that expanding opportunities to allow more duplexes, two attached townhouses. You'll also see compact and cottage housing that those are more in keeping with the character of those zones and so we propose to allow new options in those zones and then even further options in the other three zones just to maintain a balance between them. And then the next slide.

As mentioned, the ADUs are currently permitted in all zones and we're proposing to build on those existing standards. The amendments in your or the proposed code amendments as it turned out, this was -- we were about 90 percent of the way towards to getting these amendments done, midway through this session the legislature passed HB 1337.

I'm sure you're tired of hearing about different house bills at

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

16

this point, but 1337 is important because it implements a range of ADU standards that do apply to the County. They apply at the time of the next -- of the -- the County is required to come into compliance at or before six months after the next comprehensive plan update, but because we looked at the draft standards and we were already about 90 percent of the way towards meeting this House Bill, we thought this was a great opportunity to fully meet HB 1337.

And so at the Council Time last week there was a question about what were the differences between the March draft of the code and the May draft that was included in this hearing packet and the bulk of those substantive changes relate precisely to these ADU standards, and so that was in order to fully meet that House Bill.

And some of those key changes that would bring the County into compliance and expand ADU opportunities are looking at permitting two ADUs rather than just one per lot and that can be in any attached or detached configuration, so it could be, you know, one in the garage and one in the basement of an existing home, it could be two detached ADUs in the backyard; it could be a small duplex structure in the backyard, it could be two ADUs attached to the existing home, but the House Bill is clear that any of those configurations must be permitted.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

17

Another change we made, right now ADUs are limited to 800-square feet and the House Bill directed us, and we also heard interest in expanding ADU size up to 1,000-square feet. And a key clarification, I know I've gotten some public comment on this, is, A, we've gotten that comment and there was also clear direction in the House Bill that that 1,000-square feet excludes any garage space. So if an ADU is attached to a garage, the garage space does not count towards that 1,000-square feet, it's just the living space.

And we also proposed in separate from the House Bill just based on development patterns and what we heard from our partners in Community Development that there is interest for some of these deep lots and some older existing developed areas of the county where homes were setback really far on the parcel that creating an option to allow an ADU in front of that dwelling could really expand the number of homes that could be permitted, and so there is a new option proposed in the code that revises current standards to place an ADU in front of the main dwelling. And next, please.

The third concept is looking at with all these new housing types being introduced, but these are still what we're calling the low density districts, so how we maintain the neighborhood scale so that these new middle housing options are compatible with the

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

18

range of existing and proposed development.

So a few tools that are being proposed here include some tiered lot coverage, we'll take a look at that, that allow additional units but keep the scale of development within the range of existing homes as well as some new development standards being proposed specific to the compact lots, triplexes and quadplexes that would help balance the living and parking areas along the street frontage and overall address livability and compatibility issues, so... Next slide, please.

The first piece has to do with, with these new middle housing types setting the lot sizes, so this table lays all of that out. I think the first thing to point out is the duplex and single-family detached home lot sizes are proposed to be the same in all zones, that adds flexibility on each individual lot so that at the time of building a developer or a homeowner or property owner can decide do I want one, do I want two.

But when we get into triplexes and quadplexes there's slightly larger lot sizes being proposed and that's just to reflect that you need a little bit more room to add those additional units. And the townhouse lot sizes are smaller than the single-family detached and that just recognizes once you attach these units, you don't need the side yards, that really the development

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

19

feasibility comes from -- from bringing those lot sizes down to make it more feasible.

The, then the next piece is looking at the lot coverage. As mentioned, we spent a lot of time with our forum group and running some comparisons to try to set these lot coverages to make this additional development feasible while keeping the overall scale within the realm of, within the range of what's currently permitted.

We didn't want to see new triplexes and quadplexes for example coming in that just fully dwarfed development in existing neighborhoods. And so the first piece on this lot coverage as mentioned there's the site increases for single-family detached homes and that's just in the R1-6 and R1-5 zones, a slight step up there.

And then from there for essentially for each additional unit that, you know, if you go to a duplex or an ADU adding a second unit or if you go to a triplex or a quadplex getting to three or four units, there's an additional 5 percent lot coverage proposed and the idea is there's a little bit of extra room, a little bit of additional flexibility to add those units but not so much so that the scale overwhelms some other homes in the neighborhood.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

20

And then townhouses also have proposed lot coverage increases, that again there's no side yards and so recognizing the feasibility there to get there. And just to point out that there's no changes proposed to R1-20 and R1-10 because those lots are already so large you have a 16,000-square foot lot for example in R1-20, 50 percent lot coverage is 8,000-square feet, we really didn't see the need to propose the same tiers of lot coverage, it was just on these smaller lots where it was necessary.

And the next piece please is talking about the design standards and I know there's been a lot of questions and a lot of really good comments about what this means and what it, how it could impact development patterns and so we just want to start off by clearly laying out what the code proposal is is these are really targeted and limited.

In our initial work in the Housing Options and Study Action Plan our code audit noted that there are not a lot of development design standards for existing residential types in these single-family low density zones and so we wanted to maintain that, you know, respect that approach.

And so the first part to note is that there are no design standards existing or proposed for single-family detached homes,

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

21

duplexes or townhouses. We saw some opportunities with this project to reduce the design standards for ADUs and cottages, there's some strikeouts in the code language for both of those housing types.

The ADUs in part because we saw, you know, that additional flexibility would help folks site an ADU on their property that met their needs and, you know, and was compatible with their own dwelling and that the County didn't need to be regulating siding types and roof pitches and those scenarios.

Cottages likewise, the standards, the design standards were focused on a particular design style and felt that there would be more flexibility there. But the key change that is proposed in this code is looking at some new standards for several new housing types.

So these are housing types that are not currently permitted in the code, and as a condition as part of the whole package of seeing how these new housing types could work in communities, an additional part of those standards was adding these limited design standards for the compact lots, triplexes and quadplexes and those standards focus on main entrances, making sure that there's a clear connection both for safety as well as visibility, community livability and just having opportunities

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

22

to get to know your neighbors, for that main entrance to be visible and connected to the street, and as well as balancing the amount of garage and driveway space relative to the living facade or the main facade of the living area.

And so the balance there is the standards are half/half essentially, half driveway, half home. And when we look at - next slide - what those standards could mean, I think it's been a really interesting conversation so far about looking at what does that mean for some housing types that have already been built in the county, what does it mean for future development, you know, we're all getting out our crystal balls and trying to think what new homes could be added in addition to what we've already seen, but when we look at what is existing and how that could fit within these standards, there's been a lot of discussion about could there still be street-facing double-car garages.

This picture has been, was provided by DEAB and, you know, some questions about could this still be permitted and there are multiple avenues through which this type of development will continue to be permitted.

So first of all this new compact lot that we're proposing, within any compact lot developments, any lots that have a

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

23

minimum of 42-foot wide lot width, but based on some setbacks and that 50 percent, so in the R1-20 and R1-10 and any other zones where a developer elects to have that lot width, a double-car garage would fit.

Homes that are permitted outright through any, through the traditional subdivision process that remain outright permitted in all zones including the R1-7.5, R1-6 and R1-5, all of those lots would be permitted to have a double-car garage, there's no design standards, this 50 percent limitation would not apply.

And then townhouses are required to have a minimum lot width of 20 feet in all of these zones. And townhouses are not proposed to have this 50 percent standard apply, so any townhouse could continue to have a two-car garage.

So there remain existing opportunities to provide this type of model of development and it's simply that in some new development options being proposed, some of these new compact lots if the development proposes to elect narrower lots, there could be some tradeoffs that need to be made to provide a new housing type in addition to these existing opportunities. All right. Next, please.

The next theme is looking at the cluster development options and

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

24

here we've, you know, already talked a lot about the compact lots because that's one of the newest, one of the new portions of this project, but the compact lots are really seen as sort of a sibling, if you will, to the cottage housing option.

Clark County has really innovated with that over the past decade and has seen a lot of interest in using these cottage housing standards to build more smaller homes, so smaller footprints in smaller, on smaller sites and -- but there's been some different types of projects, some projects wanting to have more of a traditional street orientation with these smaller homes and some more of a community clustered feeling.

And so the proposal that emerged in the Housing Options Plan and then in that you see reflected in the draft code provides these two paths. So refining the cottage housing option to provide more of that clustered development homes around a common green space where homes are not necessarily focused on the street, and then introducing this compact lot option to allow more of that street facing, street oriented development.

And then just as a third additional piece, if someone has an even more creative idea, we wanted to reduce the minimum size for PUDs, right now it's six acres, we thought we can move that down to three acres, you have a smaller site, you want to do

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

25

something really creative, let's open up that opportunity.
Next, please.

So just giving you a sense of sort of the -- on the left is more of the cottage clustered option around the common green space and then on the right is more of this compact lot type pattern we're talking about where you've got more street oriented homes. And next.

In terms of the overall scale of the homes and the number of homes that are being propose- -- that could be permitted through these, really similar density and development scales trying to create some parity there but just different paths in terms of the site design, so...

Just a few things I'd point out here. The compact lots, I think there's a question here, it's a maximum of three-net acres not a minimum, so it's really targeted at some of these smaller sites that maybe have been leapfrogged over, you couldn't get quite enough homes on them under the current standards and this is, oh, you need a little bit extra flexibility, a little bit extra different layouts, different standards to make this project work, those are the sites that are being targeted for the compact lots.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

26

Both projects allow twice the underlying density. Some limits on unit size in the cottages, no changes proposed there, but there are no limits on unit size in the compact lots. And next, next slide, please.

Second to last concept here is making all these middle housing types work. We wanted to provide more flexibility about parking requirements particularly on some of these smaller lots. So prioritizing room for housing by reducing some of the parking minimums, that doesn't mean that an individual site or an individual lot couldn't be designed with more parking, there's no parking maximums, just minimums that are being adjusted.

So opportunity here to reduce the cottage parking to one space per unit, that's down from 1.5 spaces. We needed to look at a new parking standard for new housing types, the duplex, triplex and quadplex, those are also being proposed at one space per unit.

And had really good discussions about how to handle guest parking or as I like to call it party parking for townhouses when you've got people coming over for a holiday meal or a barbecue, something like that, and how to make sure that there is parking for individual townhouses but also parking for visitors within those neighborhoods so that they're not spilling

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

27

over into adjacent areas.

And so currently the requirement is 2.5 spaces per townhouse or through the narrow lot standards, and we're proposing, the code proposes to lower that to two spaces on an individual lot and then an additional guest parking requirement that's a shared parking so it can be used more efficiently because not everyone's having a party on the same day.

And there are options proposed, these are in the narrow lot standards, that it can be on-street or off-street. So if a developer has a sort of a remnant parcel that makes sense for a small off-street parking lot, that can be proposed, but this requirement of one space per three homes can also be met through on-street parking and that's just, you know, one space per three.

And then one other refinement that you can note in this table is the accessory dwelling unit standard is being changed to do zero spaces per unit. The existing code required one space per unit but allowed multiple exceptions that covered, you know, what we found to be like about 90 percent of the scenarios, and so we felt that it made sense to just make it a universal standard, that is also the direction behind HB 1337, so once that came out we were already in good position to meet it.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

28

And then the last piece we were looking at streamlining the permitting process. We've got all these housing types, we're trying to get them built, trying to expedite some of the permitting. So the first step there was with all these new housing types making sure that the standards were clear and objective so that they could be applied more easily.

And then that facilitated permitting single-family homes, ADUs, duplexes and townhouses through a building permit level review at Community Development. We're proposing to use a Type I site plan review for triplexes and quadplexes and the Type II site plan review remains for cottages, compact lots and the townhouse developments themselves, but individual townhouses can just come in for a building permit review.

Any development that is creating new lots is still going to require a Type III subdivision review, but overall these other housing types are looking to shift to simpler permitting options.

And then the last slide here we just want to talk about the ownership options, just, you know, piecing, putting together all these different types of housing and the balance of housing that's being proposed.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

29

There will be multiple opportunities expanding for fee simple ownership. So single-family detached homes whether those are built through subdivisions, cottage housing or compact lots, there will be opportunities there, as well as townhouses will come through fee simple ownership.

There will be opportunities for rentals that could be built as duplexes, triplexes, quadplexes, ADUs could be rentals, there could be opportunities to do condominiums with those, but we want to underline that there are no requirements with any of these middle housing types that they must come through as condos or as rentals.

There's just a variety of options, different products and different ownership models that can come as a result. There have been some further reform of condo law, another, you know, legislative bill SB 5258, so that might help make it more feasible but there are no requirements for condominiums whether or not that solves some problems.

So with that, Oliver, would you like to read the findings and recommendation?

ORJIAKO: Yes. Thank you, Elizabeth and Susan. Councilors, our recommendation is to approve the Phase 1 code amendment and the

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

30

text to the two chapters of the comp plan as proposed and as recommended by the Planning Commission, that's really what is before you, Councilors.

OTTO: Chair Bowerman, if you're on we can't hear you.

BOWERMAN: I am. I am not on mute and my video keeps flipping off so I don't know what the situation is there. Can you hear me now?

OTTO: Yes. Thank you.

BOWERMAN: Okay. So are there additional staff reports? Clearly what we've just heard is a lot, a lot of detailed information. Are there other staff reports that compliment this that we should hear at this time?

ORJIAKO: Councilors, none from staff. We will -- we are here to answer questions from Councilors.

BOWERMAN: Okay. And I think if there is a question or two or three for clarification, that's good, but let's not get into a discussion because that will follow the public input that comes next. So, Councilors, is there any small item for clarification?

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

31

YUNG: Yeah, Chair, I have a few questions.

BOWERMAN: Make it less than a few if you would because we need, we need to be able to go to the public input very soon. Thank you.

YUNG: So I do have a question, and this was I believe if I remember correctly it was brought up at a Planning Commission meeting, but can you give me a little bit of direction as to why we're not renaming the zones to match the square footage of the new lot sizes.

ORJIAKO: Councilors, I think the direction that staff took was to not propose a zone change; however, if that is something that the Council would like to direct staff to consider in the future, that is going to be the direction and policy call from Council.

The route we took was to look at the single-family district and look at the middle housing, you know, which we want to be using middle housing rather than talking about duplex, triplex, fourplex and townhouses, look at those which are not now currently allow in the single-family district and open that up to make that possible, that's the route we chose rather than specifically zoning any area for townhouses, duplexes, triplexes

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

32

and fourplexes, so that's the route we took.

BOWERMAN: Does that answer your question, Councilor Yung?

YUNG: A little bit, yes, enough to move forward.

BOWERMAN: Okay. Thank you. Are there other questions for clarification that Council would have?

YUNG: Actually that would be it for clarification questions. Thank you.

BOWERMAN: Anybody else?

MEDVIGY: I have a process question related to what Councilor Yung just asked, and I'm looking at an e-mail from Christine Cook that went only to Karen Bowerman and myself that kind of speaks a little bit, and so I don't want to violate any Open Public Meetings Act, but we're all here, so I'm just going to pass it to him so he can read it.

COOK: Pardon me, Councilor and Council, but that --

MEDVIGY: And I did not yet have a question for you.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

33

COOK: Okay. The e-mail went to all Councilors but I didn't send it to everybody in the same sending process.

MEDVIGY: Okay. Thank you. So did you see, have you seen that, Glen?

YUNG: Yes, I have seen this one.

MEDVIGY: Okay. Perfect. So that gets to my process question because, you know, in a perfect world, thank you, number one, I want to say great work and I want to apologize to the Chair, I was late, I still haven't eaten lunch, it took all that time just to get my food, but I was listening to the hearing as I was sitting in the restaurant waiting for my food.

And, Oliver, I'll just go back, you used the word housing crisis, I don't like to use the word crisis because it's used everywhere and every context these days, but it's national, it's state, it's county and it informs us to do urgent things because it impacts homelessness and other issues, people being able to move into homes.

I mean, I've rented rooms, I've been in a dorm room, rented mobile homes, been in an apartment building before I could become a property owner myself and my first home was one of

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

34

those post World War II cookie-cutter 800-square foot baby boom homes that I could barely afford as a lawyer, but anyway, in a perfect world you did great work here but there seems to be some consternation about what happened at the Planning Commission and all of the options that were presented to them.

Some of the subcommittee seemed to have unanimity on regarding design standards and then there was some consternation and that's what the e-mail was explaining about what actually the Planning Commission could have done or should have done or in any case, I want to get beyond that, but it causes concern that where we've got 90 percent great work here and then a 10 percent delta of disagreement, and then -- and we need to do urgent things because of that housing crisis.

We want to open up this aperture and if that 10 percent disagreement is going to slow down development of affordable homes, I want to eliminate it. And we're at the point right now where, you know, we focused on that one design, is it allowed or not allowed, and some people say, no, they won't be allowed. Your last presentation, your presentation today, yeah, it will be allowed on these lot sizes and in these zones, so now we have a disagreement.

And then the comment of we need to do this with clear code so

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

35

that permits will be efficient, they are not efficient. We're still working on that. I don't know if April's on board, but I hope to continue this conversation with the Manager and April and Amber. We still have disagreements and we have disagreement on this right now and we haven't even passed the code yet as to whether that kind of home style will be allowed under this proposed code, so we already have disagreement that there's not this, this is not clear code.

So my question boils down to, why can't we send it back and get it from 90 percent agreement to 98 percent agreement or 100 percent agreement because I want to do this right. I want to open up that aperture. I want to have clear code for permitting through efficiently process permits, I want to address that housing crisis.

So, you know, whatever happened at the Planning Commission, I read your e-mail, Christine, I appreciate it, I'm not trying to undue or criticize any advice that may have been given or things that didn't happen, but what prevents us now from sending it back and getting that 10 percent disagreement worked out on design standards primarily?

BOWERMAN: Council, are there other matters for clarification? Remember we are not in a debate, debate mode at this moment.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

36

MARSHALL: Chair.

BOWERMAN: Yes.

MARSHALL: I don't have any questions at this time and I would like to get to the public comment and then circle back to the question that was raised about where there is remaining disagreement really on both sides, so that's my suggestion.

BOWERMAN: Okay. Very good. So are there matters for clarification of any of the terminology or the points made in the staff report?

YUNG: Chair, I apologize, there was one quick question that I missed, it was a clarifying question and it has to do with garages being attached to ADUs. Do we have in our current code any, you know, restrictions that do not allow a garage to be attached to an ADU?

DECKER: I do not know the entire history of how Community Development staff has interpreted that in the past. It does not say in the code that ADU space does or does not include garages and so it has been somewhat open to interpretation, but the proposed code does clearly say that garage space does not count towards the allowed living space.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

37

YUNG: And then it can be attached like underneath or on the side or anything?

DECKER: Yes.

YUNG: Okay. Great. Thank you.

BOWERMAN: It still would not count toward the footage which is what is key as I see. I do have a concern about the height of the garage, but that is another matter for discussion and debate later, not for clarification.

Are there any items for clarification right now? And hearing none, I think we should go to the public comment that is awaiting for discussion on pro or con relative to the housing plan. Staff, do you see people in the hearing room first who wish to speak?

PFENNING: Yes, Chair, there are currently seven signed up to speak.

BOWERMAN: Okay. Very good. And how about online, about how many are there?

PFENNING: As of right now I have one, possibly two.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

38

BOWERMAN: Okay. Very good. Let's go ahead with those in the hearing room.

PFENNING: As I call your name to the podium, can you please spell your last name for the court reporter. Kathy Vogt.

VOGT: Working? All right. Hi, my name is Kathy Vogt, and the last name is spelled V-o-g-t. My husband and I are in our mid 70s and we would like to build an ADU using accessible design concepts on our two-acre property in the Salmon Creek area so we can age in place.

When we started this process nearly two years ago, we had no idea that it would be so challenging. We went from an attempt to short plat to an attempt to build an ADU. I appreciate the effort Clark County has made to propose some common sense code changes. Most of the recommendations appear to be worth considering but several would be really helpful to us.

The current County Code only allows 40 percent of the living space in the primary residence to count towards the ADU space, but a code change aligning with the 50 percent allowed by the State would help. Clark County also requires that the garage footage be included in the 40 percent, and I just heard that this is changing so that really helps.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

39

And we'd really love to have a door from our house to our garage as practically every one else in Clark County has. I believe it is dangerous to require elderly people to walk between the house and a detached garage on dark wet or icy walks to access things stored in the garage or to get to the car. Many of us are one fall away from spending the rest of our lives in senior care.

It is also a waste of resources due to the heat loss to the outside on a cold day and extra materials required for the detached building. This code adjustment would align the ADU homes with practically every other house.

I also want to support the code change proposal allowing the ADU to be built in front of the primary residence where space allows. We live on a long and narrow two acre property. If we can build in front of the current home, we can use the land much more efficiently. We have more than a half acre of property available to us to build and that will leave more than an acre behind the current home available for other uses and future development.

Another change I support is taking the proposal directly to the building permit stage and eliminating the site plan review requirements. Eliminating any permitting steps could help speed up a lengthy process. I want to thank the many Councilors and

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

40

staff who have helped us along the way. We aren't home yet, but we live in hope. So I've got 23 seconds. Can I ask a question of those guys or is that out of line?

BOWERMAN: You've got 17 seconds.

VOGT: Okay. But can I ask a question?

BOWERMAN: Go ahead.

VOGT: On your statement it's maximum of 1,000 feet, now we have as I said a huge lot, can it be expanded to the 50 percent of the size of the house that we're currently living in or will the 1,000 be the maximum?

BOWERMAN: And with that, your time is up. Thank you so much. Are there others who wish to testify? And, staff, would you keep in mind the question that's been asked about the 1,000 feet.

PFENNING: Tom Vogt. As you come to the podium please state your last name and spell it for the court reporter.

VOGT: My name is Tom Vogt, V-o-g-t. Madam Chair, Councilors, staff, fellow community members, I woke up this morning at

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

41

hummingbird o'clock. It was 6:30 by my watch but that isn't what made it a memorable morning.

As I was working on my first cup of coffee I noticed a blur on the other side of the window, it was a hummingbird having breakfast on our tiger lilies. I moved next to the window to get a closer look, it shifted over slightly to get a better look at me and then it went back to breakfast. It was a moment that represented why Kathy and I are here today.

When we head out for our daily walks we usually walk past a family of rabbits nibbling on our lawn. Deer frequently take naps under our trees. On special days bald eagles wander over from the refuge. We are not unusual in our part of Clark County, our neighbors all have similar experiences, so that's why I think a lot of them would also appreciate the same thing we are hoping to achieve and that is an opportunity to age in place as our daughter and her family move into the house where she grew up.

They would help us stay safe and connected as we fade away. And when that time comes, we hope to be in familiar surroundings with the people we love. And when I raise my eyes to the window, maybe I'll see a hummingbird. Thank you very much.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

42

PFENNING: Houston Aho.

AHO: Houston Aho spelled A-h-o. Hi. I'm here on behalf of Aho Construction. We believe the bulk of the -- yes, I can, I should have figured this out after about the first 200 times. We believe the bulk of them and then some are a step in the right direction; however, we believe the proposed codes need to be further refined and vetted before the final action is taken.

There's proposed code currently conflicts with County, existing County Code at 40.350.03(b)(4)(b)(2) which is the minimum lot width of, or minimum driveway width of 12 feet, the proposal has a driveway width of 10 feet. We have seen in times of conflict county policy is to take the more restrictive measure. The new code would be conflicting right off the bat because I haven't seen any changes to 350.

The new proposed code also has an error in 40.260.155. 40.260.155(c)(1)(f) still references 155(c)(8), that reference should be moved to (c)(9). As far as the proposed driveway and parking and architectural provisions, those need to be vetted much better, they are having potential for some severe architectural limitations, design limitations.

It's unclear right now the way the code reads if .

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

43

40.260.155(c)(8) is an option or a requirement. The staff is saying it's an option, but there is no direction in the current proposal that says it's an option, it appears to be a standard.

There is questions about what obviously constitutes a rezone. I would think a zone where you're getting excess of 20 percent density would be a rezone or an upzone, it's a little bit -- I'd like to get a legal interpretation probably on that on if not changing the name doesn't allow for a rezone.

Other than that, there's with the ADU Code, right now in zones, urban zones that are have lots that are greater than 20,000-square feet you are allowed to build a garage or a shop that's 35 feet, but right now the ADU is being proposed to be limited to 25, so there seems to be a little bit of a weird inconsistency where you could build a 35-foot garage but you couldn't build a garage with an ADU on top to that height requirement.

With that, I thank you for your time and consideration and thank staff as well for all their hard work they've put into this.

PFENNING: Alyson Williams. Daniel Wisner.

WISNER: Good afternoon, Council. My name is Daniel Wisner

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

44

spelled W-i-s-n-e-r. I'm a member of DEAB. I'm about a 30 year developer in Clark County. I specialize in in-fill developments specifically townhouses and I've built about 500 townhouses under the name of Osprey Homes with my partner and our list slogan was affordable quality.

I've worked out with the Housing Option Study for the last, I don't know, year and a half. You probably see a lot of my comments in the public comments. The work that's been done I think what Councilor Gary said was exactly right, it's 90 percent complete. The conflicts, there are still conflicts within the code. They really need to be changed because otherwise we're going to regret having rushed it through.

I understand there is a affordability crisis and this will make a big difference toward the affordability crisis as studies in the past have shown that I've dug up. But right now I mean some of the conflicts that I can find are there was a question around do townhouses require narrow, narrow one-car garages and the conflict that I see in the code right now is that the townhouses fall under narrow lot standard. The narrow lot standard would require us to go through and have basically one-car garages.

I've been working with the County before and my townhouse developments we strived very hard to create as many two-car

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

45

garages as possible. And the big thing that we found was that we were able to even if we put a single-car garage we would usually oversize it and put two parking spots.

So one of the things that I would say is that there's still some conflicts within the code. I would recommend that you do exactly what was discussed to start with is that you kick it back and allow the code to really be reviewed with a fine-tooth comb. DEAB is willing to take forth on those efforts.

There's a lot of very, very good people that would put forth the effort to make sure that we get clean, concise code to where we can actually, you know, go slow to go fast. Thank you very much.

PFENNING: Noelle Lovern.

LOVERN: Hi. I'm Noelle Lovern, last name L-o-v-e-r-n, and I am with the Building Industry Association of Clark County. Thank you to County Manager Otto and the Chair and all of the Councilors and I do appreciate all the work that has been done by staff.

Again, I think we're really close. Some numbers I want to throw out for you is that you may know that the holding costs of

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

46

development, if permits are delayed, we're talking about \$1100 a week per housing unit that that costs. And if you take that number and you determine, you look at how many people are priced out for \$1,000 out of even being able to buy a home, that's 571 people in the metro area. So for every -- every week that we're having to figure out which code applies and review gets extended, we're pricing out another 571 people from being able to buy a new home in Clark County.

So with that I'll just say we're almost there. Give us that one little bit more to make sure that we're filling all the gaps, that we're not walking away confused. If our community's confused, reviewers are going to be confused. We don't want to have to come back for amendments. We don't want to have to be, you know, working with staff to come up with the proper answer to whether it actually does fall under the code or not, but what it really all comes down to is the human factor.

Are we doing what we set out to do with the HOSAP? Are we making housing more affordable and giving more affordable options? We're not if we're not being concise and seamless with these codes because we will end up pricing more people out of the market. So I'm just asking please give us a little bit more time with this. Thank you.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

47

PFENNING: Eric Golemo.

GOLEMO: Good afternoon, Council. My name's Eric Golemo, G-o-l-e-m-o. I was a member of the Housing Options Action Plan and the DEAB. First, I want to thank staff and the consultant team, a lot of great work was done, definitely a step in the right direction, and I don't want the comments that we have to take away from the good work that was done and the good intentions that everybody has in this process, but let's get it right.

I think we're really about 90, 95 percent there.

There's a few items that really still need some attention, those are some of the unnecessary regulations, conflict with market demand, unintended consequences, some of the items are contrary to the goals of affordability and housing options and actually could add cost and have less options.

A few of the highlights of those options are, you know, we test on the design standards, that's really one of the biggest ones and they are they appear under the compact lots, the multiplexes and the narrow driveway standards. These items are personal preference and they're driven by market demand.

They can potentially add a lot of cost and less efficiency to

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

48

the way we construct and adjust the market demand and some of the concerns we have. There's more efficient ways to do it by varying facades, instead of trying to move the front doors and limit garages.

We gave some examples of some of the homes that would be difficult to build under this code, not impossible, but as staff said, you can still build in some of these other zones but no one's going to take an R1-10, those lots on average go for about 250 to \$300,000, you're not going to build that house on an R1-10 lot or an R1-20 which are even higher which are probably over 300,000 for a lot.

These homes that were built are built in an R-18 zone under narrow lot standards. So the narrow lot standards need to have that same kind of flexibility and we should take what has done well in those zones and apply it to the compact lots. So and those are some of the items that we want to get through.

You know, some of the other items are lot coverage requirements, just making sure that we can -- they're proportional to the size of the lot, confusing density calculations.

And then something someone else brought up was the ADU Code and the cottage housing and how garages are counted and the code has

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

49

moved a little bit but it still hasn't fixed the big problem which is a bad definition and a gross square foot definition which basically allows, it doesn't prohibit you from putting a garage in a cottage or an ADU, but it subtracts from the living space and makes it almost not marketable and not cost effective to build it, that's a priority, we should fix that.

We need to tweak the Cottage Code a little bit to really encourage fee simple ownership and not condos, it's very difficult to build condos, and also makes it more likely to be a rental than it would be owner occupied. I don't want to get into it, but I guess, let's revisit and make sure we get it right. Thank you again for the opportunity to participate in the process.

PFENNING: I apologize if I say your name incorrectly, Mark Maggiora. Please spell your last name.

MAGGIORA: It must be my spelling, huh. Mark Maggiora. I'm a resident in the Rose Village neighborhood and also the director and founder of a nonprofit community development corporation called Americans Building Community. We focus on neighborhood revitalization.

I'm doing a through grassroots mobilization, had the pleasure of

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

50

serving on not only the HOSAP Advisory Committee but also with your own Commission on aging back in 2015 looking at the housing options and issues and I really credit that as being one of the best examples of a community coming together and looking at this issue on a broad context.

Since then we know the Housing Task Force for the City of Vancouver came forward in response to the Courtyard Village issue which was truly a crisis for 700 different families, two-thirds of those families ended up moving out of the community because we couldn't respond, the problem's not getting any better.

I compliment the County for stepping up, even if they're only focused in the urban growth arena, this is necessary conversations to develop an awareness of who has what to say and what they can do about this but we still have yet to get to that stage where we need to be in solving a community wide problem, and that's going to be a community wide convening of all the players.

You hear the various elements that go into the housing problem and it's broad, it's complex, it's very deeply interrelated. Until we sit down as a community and say how does that system work and how does each player contribute to that system we're

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

51

going to continue to go around the block sector-by-sector, jurisdiction-by-jurisdiction and struggle with solutions that don't address the problem, we have a very complex problem. Incremental investments will not change that problem.

This is good movement in the right direction. I'm not -- I'm not criticizing any of what's transpired, I think it's as good as it can be, but it's insufficient. If we were to measure exactly how much progress we were going to make off of this, we don't even have measures right now to say if we implement this what's going to be the difference.

You as the Council need to take lead in that and say these are the measures of success and I want you staff people and I want the rest of the community coming back and say how did that investment respond to that.

The opportunity for transformation happens with this single-family designation. We have to come into this problem with the realization that because a large proportion of our land base is under single-family designation, the solution has to include single-family designation and particularly on those existing lots.

We've got to increase density and we've got to enroll the

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

52

community to be a part of that increased density effort because until we do that, we're going to continue to pick away piece-by-piece and people are going to continue to move away. So good work. Establish some measures. Start implementing today and those measures will tell you how well you're doing and keep at it. Thank you.

BOWERMAN: And thank you for your testimony. If you could come back and spell your last name, we'd appreciate it.

OTTO: Yes, if you can spell your last name.

MAGGIORA: Oh, I'm sorry. Maggiora, M-a-g-g-i-o-r-a. Maggiora.

BOWERMAN: Thank you very much. Are there others who wish to testify, staff?

PFENNING: We have four online. Teresa Hardy, you've asked to be unmute, please unmute yourself and spell your last name for the record.

HARDY: Teresa Hardy, H-a-r-d-y. I'm speaking for Friends of Clark County. We are not making any major proposals here. We are in agreement with a lot of what's been drafted. There are some areas that of concern. The areas of concern are parking,

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

53

transportation, change in the permitting process, affordability and public engagement awareness.

I'm going to start with public engagement awareness and that is, yes, there was a meeting in March as an overview but a lot of the details in all this has been done with staff and within the tech forum and at the Planning Commission and that has not involved much public.

The public had an opportunity to speak at the Planning Commission hearing on 6/15 and again today and that's been three minutes. There are some aspects of this it seems that the public needs to be more aware of. I'm going to address parking first.

When parking was only one parking space, one driveway and one-car garages was initially talked about at the DEAB they said that would not be a good way to move forward, that there would be unintended consequences to putting more cars on the street, the traffic throughway through that, kids riding bikes, playing on the streets and that when our public does not, is not aware that that's going to be the standard and there's going to be a lot of on-street parking and very little yards and no recreation space, is our public really aware of that and are the surrounding neighborhoods. So is there, as the one gentleman

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

54

just said, we need to enroll more public engagement in this.

The next part is that falls into parking is transportation. When we are narrowing it down supposedly to encourage people to only have one car when very few people one person can live in a dwelling and afford it so it's probably couples with two people working or several people renting a place that they all need vehicles. There's a whole environmental side of it where let's get people down to one car but not to have public knowledge of this seems detrimental.

The next thing is, and along with that is the transportation piece. If we're going to narrow it down to one driveway, one parking space garage, it should be tied to public transportation and availability of public access to transportation and none of that has been written into this.

The next piece of this is land use and in this permitting process, and in this change of the permitting process there it raises some questions. Are there any affects on the environment, the wetlands, critical areas retaining the charge for --

BOWERMAN: I'm sorry, your time is concluded.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

55

PFENNING: Caller, you've asked to be unmuted, please state your name and spell your last name for the record.

GOHEEN-ELBON: This is Kimberlee Goheen-Elbon from Clark County, Washington all my life. And I'm going to, I'm on my phone here, I don't have my iPad right now.

I'm going to go to the Housing Option Study and Action Plan, but I also want to say first that I get to speak about Inslee, Jay Inslee and Biden as this is directly following a plan that they have of which is to follow the NATO and the United Nations and Vancouver City Council and this Council knows that the Vancouver City Council are members of the United Nations. So all this is designed under a European International instead of a constitutional agendas that we hope would happen.

Again, stop growing growth in Clark County, Washington, USA. We were the fastest growing county in America during the last 20 to 30 years and now that citizens and this elected Council is aware of the United Nations agenda here brought to you as always by the Clark County Manager, Kathleen Otto, which again is an unelected head leader of Clark County and, yes, her staff works hard yet not under the constitution. We citizens vote for the constitution and so I'm asking them to wake up. So stop the growth in Clark County, no growth and no low income housing

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

56

around the Clark County Fairgrounds.

My question would be are these all these homes, I know Vancouver doesn't want any natural gas, so are all these homes going to be electric and then when we have blackouts they freeze to death and can't cook. You know, people, oh, that's a theorist for you. Well, it's happening. It's already happening around the world.

This county does not have to follow Inslee or Biden. A lot of your Republican parties I'll say or parties that actually love God, family and country do not follow under the American Reece Group Plan or any of the housing Growth Management Act, they do not follow this and therefore this is a complying county and I'm against that.

So citizens -- let me see here, I'm going to go to my next note here. This Council must be transparent to the Clark County citizens as to how many homes, apartment, et cetera, are going to fulfill the treasonist Biden's plan to integrate the illegal immigrants which is effectively taking our heritage of a country setting and fulfilling a -- and fulfilling a heritage of protecting the great Pacific Northwest.

And citizens must know that this Council resides in Vancouver

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

57

which is the active member of the United Nations Marxist agenda that starts at the grassroots local area in our government here. So that's my job. I want to wake up the citizens of Clark County. So the housing pandemic is usually mentioned --

BOWERMAN: Your time has concluded. Has the next individual indicated an interest in testifying?

PFENNING: Judah Smith, please go ahead with your comment and spell your last name for the public.

SMITH: Hi. Good morning. Judah Smith, S-m-i-t-h. Good afternoon and thank you for the opportunity to speak and share my comments and concerns.

The Housing Option Study and Action Plan not only affects my work as a professional within the homebuilding industry but also has implications for my family's future investment decisions as well as our ability to live in a multigenerational home.

I would say nine out of the ten things that are being proposed I agree on. I applaud the work that's been done thus far but I wanted to address a couple of things. Firstly being garages. As mentioned, I work for a private locally owned homebuilder. My concern that, my concern is that limiting garages to 50

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

58

percent of front facade would have a detrimental impact on the functionality and livability of the homes especially affordable homes that sit on narrow lots.

Garages are a cost effective and valued space that builders can provide to homeowners. Homes on narrow lots that are currently designed for two-car garages would now become one-car garages or just the garages would be eliminated all together. Residents and their guests would be forced to park in the streets and meeting land use standards for required parking spaces within a community would be substantially more difficult to meet.

Things garages are historically used for such as parking vehicles, storing household items or landscaping equipment or space for hobbies would be forced potentially into the street or side yard or just eliminated all together. Many jurisdictions have implemented code changes limiting garages to 50 percent of front facade only later to appeal, amend or introduce substantial variance processes to the codes shortly thereafter.

The second point I want to address is regarding ADUs. I believe ADUs are one of the solutions to the housing crisis that we're currently in, so I'm very happy to see the proposed changes. With that said, the proposed 25-foot height restriction on ADUs that differ from the primary homes height restriction of 35 feet

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

59

would not provide a congruent street view.

Living spaces within the ADU can already be typed considering the square foot limitations in place, so imposing a 25-foot height restriction would limit the ADUs ability to utilize potential living space above the garage. I encourage the implementation of a height restriction for ADUs that would match the primary homes height restriction of 35 feet.

Thank you for the work that's been done thus far on the plan and thank you for your time and consideration this afternoon.

PFENNING: Susan Zoller, go ahead and please spell your last name.

ZOLLER: Good afternoon. My name is Susan Zoller, Z-o-l-l-e-r. I originally had some questions about the proposed changes because it was not clear to me exactly what zones were included in this, and I appreciate the PowerPoint that the staff provided today to show that it was really focused on R1-20, R1-10, R1-7.5, 6 and 5.

I believe that ADUs are a valuable tool in supporting the ongoing lifestyle and lifestyle changes. I myself am hoping to age in place in my home, but I appreciate the people who spoke

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

60

in favor of being able to do that at their own place.

I do have a question and I'm hoping that in future reviews of this or in the process of the review of this is the whole question of ADUs in front or behind and I have been unable to find anyplace in the codes where you define what is behind. Is it behind the front door or what is behind in relation to?

I think it would be very helpful for people to understand where on their property especially those folks who were talking about a two-acre piece, there's lots of behind or beside or in front on two acres, it's less so on a 50-foot wide lot obviously.

So, again, my appreciation for the efforts so far. I support having ADUs made available in the urban areas, I'm less inclined to want them out where I am in R5 but I would be interested in any further conversations that the County is having about changing ADU relationships in where you have said that you wanted to place them in all zones, so... Thank you for your time. I appreciate the opportunity to speak to you.

PFENNING: Bryan Snodgrass, please spell your last name for the record and go ahead with your comment.

SNODGRASS: Bryan Snodgrass, S-n-o-d-g-r-a-s-s, with the City of

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

61

Vancouver. Thank you all for your time. Pleased to be before you this afternoon. In strong support of the proposed changes the County staff developed through a very thorough process.

We just have two questions, regarding, or two comments rather. Regarding the design standards, if you will, the garage widths and so forth, at least our understanding through the Advisory Committee process we served on was that those would be and are optional in cases where developers choose the compact lot option.

And at least in our experience in the City of Vancouver, while certainly not all residents or developers want smaller lots and smaller driveways, in many cases there clearly is a market. We're still seeing subdivisions that are subject to our new standards for instance and we believe there's some functional benefits to at least consider, not just esthetic.

A smaller garage in general, and one can argue about the exact numbers, but a smaller garage in general allows for more on-street parking, so there's a balance of parking options in the neighborhood between both on and off-street as opposed to entirely off-street which in our experience is what happens when you have a development that there are multiple double-car garages.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

62

Having a front entrance also allows for eyes on the street and so we think these should be considered as well. If you do kick this issue back, and again we recommend you adopt it, but if you do, we look forward to being part of that process on the, perhaps on the Advisory Committee.

The second comment I have just as in followup to Councilor Yung's question about the rezoning and rezoning was actually where appropriate was recommended unanimously by the HOSAP Committee but we don't see it here or in any later implementation stages or in the Comprehensive Plan update schedules and so we would just ask you to consider that, that's not necessarily a call that rezoning needs to take place to look like the City of Vancouver or anywhere else.

We do have new requirements under HB 1220 which were touched on briefly in the opening remarks today, but are actually quite a bit more extensive. All of our jurisdictions are now required to plan and to come up with a capacity analysis showing they can accommodate a set number of units, new units including affordable units.

And while we don't know our individual jurisdictional totals, we do know the countywide total, it's 115,000 new units, about half of those would need to be below market. And so we would urge

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

63

the County to look at options for complying, and again those need not be the other jurisdictions to allow for better coordination between the jurisdictions and compatibility.

In the City of Vancouver we're looking at compliance options. We are also in the early stages of planning for a some form of informational forum to better -- with the State Department of Commerce to better advise, not just on what are numbers now, but which were coming into focus but also --

BOWERMAN: And your time is already up.

PFENNING: I don't have any others, Chair.

BOWERMAN: Okay. I'm writing down the words informational forum from the City, that is a nice concept for getting at some of the many questions that still remain.

I would just comment myself that, wow, this has been a really comprehensive and well done report obviously. I thank the -- those who have worked so hard on this who are able to incorporate market demand rather than just more regulation, more regulation, because market demand is where we are going to see the real benefit in affordability because people will understand that they are able to consider it.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

64

There are several questions that I know I have. There are probably questions that you have after listening to this. And my thoughts go to what are we going to do with those questions in order to get answers that allow us to have further discussion if that is needed or at least to have the opportunity to hear the reality so that Council is in a better position to vote?

I'm inclined to say why not, like this informational forum that the City mentioned, why not have a listing of questions that come from us, from Council, from the community for questions that are not answered and then find the very brief answers to them and post them so that at that point the Council can consider them and make a determination of how it wishes to go forward. What other thoughts do you have at this point on how to go forward, Council?

MARSHALL: Chair. Thanks. I'll just go ahead. I think that it would be good to have some further deliberations on this and it is a good question on how best to do that. I think as far as getting the answers to our questions, it may depend on who you ask what the answer is.

And as I've listened to people provide their comments, you know, I've seen people shaking their heads in different parts of the room. So I think there are some fundamental disagreements, they

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

65

may be misunderstandings that would be worth having some more conversations about.

And so one suggestion was kick it back to the Advisory Group. I'm not sure. We should figure out what the best avenue is. My concern is though with all of this if the goal is to provide more housing options and affordability and the big assumption is that if we make it smaller it will be affordable and I don't know that that will always hold up.

So I think let's keep our eye on the prize which is affordability. And I know as I hear, well, double garages or wider driveways, 16,000-square feet, three bedrooms, you know, before you know it you add all of those things up and where does the affordability go and my concern is that we still have options for the compact development because that is the new item that's being brought forward.

And, you know, and I do think if it's not built we know there won't be a market for it, so I'd still like to have as much flexibility as possible. And just generally, I really agree with you, Mark, and your comments that we need to have, we need to understand what our policy goals are and have a way to evaluate and measure whether or not we're succeeding, so with whatever we end up adopting, we need to be able to monitor and

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

66

know is that moving the dial at all.

And, you know, just in the two or three years that we've been studying this, you know, we can see where housing prices have gone and they've gone nearly vertical in cost so we are, you know, time matters but I would hate to go forward feeling the level of concern that has been expressed, but it still I think needs some dialogue between the parties to make sure we're not misunderstanding each other. So those are some general comment.

BOWERMAN: Are there comments from Council? And I'm particularly interested in your process thoughts, how should we process as we go forward? Where are the areas of question really are?

And I couldn't agree with you more, Councilor Marshall, that it depends on who you get the answer from, what the approach is that is going to be suggested, so that needs to be refined as well because some people have different answers for the same question for sure at this point in time. Any thoughts on process?

YUNG: Chair.

BOWERMAN: Yes, go ahead.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

67

YUNG: Where I'm at is I feel we're still in workshop mode, that's in all fairness. I think there's enough things, there's still some lingering things that are not finalized that haven't been discussed and I think that the best option would be to have a workshop about it where we can have an open discussion back and forth.

And I'm not sure exactly how we would involve those, because some of these questions, some of the things that I'm not ready to make a determination on are provided via public comment, and so I don't know how we, you know, normally at workshops we don't have public comment, but I think in this particular instance that the individuals or groups that have provided that input should be allowed to answer some questions and be involved in the process in some way, and specifically and most importantly if we have questions we should be able to address those individuals or groups.

But I do, I have a lot of things that I came into this meeting a little with some uncertainty about and with the discussion that we've had it's actually increased. There have been a few things that I have had answered and they're no longer a question, but I -- there are lots of things for me to sort through before I'm able to say yes or no to this project.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

68

And I would like to echo that it, and I don't think that this was any, due to any fault in this how we went this, I think this is just such a huge issue and it's also one that you just, there's some things that you just can't possibly think about until it lands in front of you, you know.

So when this final report comes or maybe when you're in processes as a builder and you're in process and then all of a sudden something dawns on you, you know what, they're talking about doing this and, you know, this has been in my experience, so a lot of this stuff comes just as you hear it as we discuss it and I think that this is just a situation where that's happened and there's enough unknowns that we should take a pause and work through some of those issues.

BOWERMAN: Other comments from Council?

BELKOT: Yes, Chair, I have some comments.

BOWERMAN: Go ahead, please.

BELKOT: I absolutely agree with Councilor Yung, I feel like we're in a workshop mode as well. I've read through the DEAB's memo and the BIA recommendations and I think that if we just go ahead and just approve this we could have some long-term

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

69

impacts.

While I was reading through the DEAB recommendation memo and the BIA, PowerPoint slide and Noelle's e-mail, there were very numerous similarities between our public commenters and also those two groups recommendations.

I think we need to keep having these conversations and working through these permitting conflicts so that we don't have long-term impacts that would really hurt our community and being able to get affordable housing or our builders in being able to provide affordable housing. So I think we still have some work to do.

BOWERMAN: And I would agree, Councilor Belkot, with your last statement that we do still have some work to do; however, being who I am, I would have a divergent view on some other things.

I think we're way past a workshop mode. A workshop implies that we are still having questions and multiple answers and things that are, you know, really in the air, I think we're so far past that because when we get into the mode that we are now knowing what the issues are and simply finding the correct answers and then voting based on those correct answers, we're home free.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

70

So I see us as being there now and just using our process to get through that phase. And there are ways to do that that are I think conducive to hearing a lot of perspectives, but not just by throwing the balls all in the air again and more or less starting over if that is what is intended by workshop mode. So, at any rate, let's decide what we are going to do from here process-wise.

MEDVIGY: Madam Chair.

BOWERMAN: Yes, go ahead.

MEDVIGY: I have a suggestion. So first and foremost if I heard correctly the couple that came forward you're two years into trying to get a permit for an ADU.

BOWERMAN: Are you, to whom are you addressing that?

MEDVIGY: Yeah. So two years in the process of trying to figure it out, so I apologize for that. And we are trying to reform these permitting processes, and this is kind of an example of the disagreements you're seeing today on interpretation of what specific code means and doesn't.

I mean, on the good side you both look very young and vibrant so

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

71

maybe you can still wait out another two years before you need that ADU, but we're going to try to find some solutions.

So my suggestion here, you know, with going back to that when it was at the Planning Commission and at least one or two people were thinking, hey, send it back to staff and have them fix it. You know, DEAB's got specific suggestions, specific hang ups, go back and fix it.

Putting on my commander mode, that's what I would like to do, I'd like to point to staff and say fix it. You know, go back and meet with the Housing Options Task Force and fix it as much as you can. I think you need to go back and have open discussions, you know, can this style home be built or not under this new code. This is the most popular and sellable project that we can make money on that will pencil out for us it won't be allowed.

I mean, you need to get to the detail on who's right and who's wrong, someone's right and someone's wrong. So I think there's more staff that needs, work that needs to be done here together with the stakeholders that we put together in this process.

So where and I think the advice was correct, you know, that Planning Commission can't task staff to go back and fix it. You

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

72

know, it could come to us and we could say, you know what, we're going to throw out all these limited design standards and we're just going to follow what DEAB wants to do. I don't want to do that.

But we -- I think it's fair for us to say, staff, reconvene, go through it and now that we've nicked it down to these issues whether it's ADUs or cottage or compact lots, driveway, setbacks, heights, you know, you've kind of got a finite set of disagreement, fix it. And if you can't fix it at that point, then come back to us and say here's the, here's where we agree, here's where we don't, here's the pros and cons of going this way.

Now, one of the things I said to the Manager early on in the week, what is the downside? You know, most of the developments I see in the county I don't like, I think they're ugly. You know, you throw a whole lot of homes together on a small lot and I wouldn't want to live there but people do and that's how I started in that post World War II baby boomer small house, in that little house I bought when I was finally able to buy a house, it literally was 800-square foot. When we had our first set of twins we said, okay, we got to move, we need a different house.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

73

So design, you know, is in the eye of the beholder and first and foremost I would say this, property rights belong to the owners of the property and we should be really reluctant to throw burdens on them whether it's ADUs or not, so property rights.

The second thing is the market. You know, the market will determine what people will buy and what they won't and right now it's, it is absolutely a sellers market. You know, buyers are scrambling to pay whatever they can pay to find something to move into. And we're only going to resolve that by throwing numbers, new housing starts into the mix to get the inventory up.

You know, we don't know what's going to happen, what's going to be affordable and, you know, I absolutely agree, and I think Sue Marshall does too that, one, the public needs to be involved in this discussion because they're always against whatever we're doing especially when you're in-filling and putting in densities.

And it would be great to have goals and market goals, but I mean we don't even know what the Fed's are going to do if they're going to add another quarter percent or another half or whether they're going to stop and let, you know, inflation go crazy, you know, and that impacts mortgage rates, we just don't, there are

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

74

some things that we can't forecast or have within our control.

But it would be great to have some kind of goal of ours as to what's affordable, how many units do we want in each of these categories. We need to open up the aperture and we know that from cottage homes to small homes, compact homes, you name it, we need it all right now.

So that my specific recommendation is we put this back to staff to meet with our stakeholder group and maybe assign a Councilor or two to attend those meetings and they could be kind of the mediators or arbiters and I would certainly volunteer Glen since he's got a lot of contracting experience to be, have a good skill set to sit on that. So send it back, direct staff to fix it with our stakeholders and maybe assign a Councilor or two to sit in on those meetings.

BOWERMAN: I have a related but slightly different suggestion. It seems like information is what we are seeking now in order to have a good sound base for decision-making that goes forward.

Therefore, how about having each Councilor, there being five of us, have our top four or five questions that we do not have answers to that we want information on, jot it down and given to staff and then we go over them as a group.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

75

I would find I bet you a lot of good, sound understanding from that kind of a discussion and it would be great to have that because we would come at it from different angles I suspect.

You know, I've got one set of questions on ADUs and I'll bet Michelle Belkot has a whole different set. So we would have information as a base that we're seeking right now. How does that sound? I like it.

MARSHALL: Chair, I think I like it too. I was going to go back to your original suggestion that we all submit questions because I think to say just fix it they may feel like they've already fixed it and we should be more specific in the information that we're wanting that can resolve some of this conflict.

And, yeah, so I think, and I don't know if that comes back then in the form of a work session where we get our answers and have a little give and take, maybe that would be a way to go.

BOWERMAN: Yeah.

YUNG: Chair.

BOWERMAN: Maybe a meeting somewhat like this where we're going over what has been found.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

76

YUNG: Chair.

BOWERMAN: Someone else had their voice I heard.

YUNG: Yes.

BOWERMAN: Councilor Yung.

YUNG: Yes, this is Councilor Yung. Maybe we don't call it a work session, I don't know what it is that we need exactly, but I think that there's some stuff that staff can go in and correct, if you will, but I think a lot of it is policy issues.

You know, do we want to have a restriction of a single car or single driveway, do we want those things, those are really policy discussions and that's why I feel like a work session type meeting would be best because we can kind of talk through some of those and have the information available from those that have given it to us and from our project team and from staff and we can go through and hear what everybody has to say about those different variables and what we can choose to do or not to do and then we can as a Council make a consensus decision on those items.

BOWERMAN: Right on, and we know that those policy decisions

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

77

would be made by Council. The advice necessarily of others, but the information from others on what is and isn't the reality right now, so per, with that thought -- and someone else wanted to speak.

MARSHALL: Yes. I just wanted to keep in mind what is affordable, you know, and with some of these things, you know, what is the price difference between a single garage and a double-garage driveway that's 10 feet or 12 feet, you know, at -- I think we have to keep in mind affordability in all of this because that's fundamentally what we're trying to achieve.

BOWERMAN: Further discussion from Council? Well, Kathleen Otto, you're our process person, I'm going to put you on the spot for you have heard some ideas about going forward with process to get information on the table for better decision-making, what are your thoughts as to what that process could best be?

OTTO: So, and Leslie will correct me if this doesn't work, so for the public hearing you can do continue to a date certain, and I would recommend and, Oliver, if this does not work with your, the schedule for this let me know, either August 15th or the 22nd.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

78

And then I would recommend August 8th in the afternoon at 1:00 we already have a placeholder for Council meetings to have a work session during that time because we are booked with several work sessions already on Wednesday morning, so using Tuesday, August 8th at 1:00, that hold for a Council meeting but use that as the work session if that gives staff enough time to be prepared, and then that's at least one or two weeks before the continue date for the hearing of the 15th or the 22nd.

BOWERMAN: And on the let's say 15th a decision could be made as to what happens relative to the Housing Option Study and Action Plan that we've been talking about now but a decision could be made.

OTTO: Yes. So the public hearing portion would be continued to a date certain of the 15th or the 22nd of August, the 15th is a evening, and then using August 8th just as another informational session or work session to go through the Council questions. Oliver, does that work?

BOWERMAN: The only thing that the 22nd is on an evening and sometimes a few folks begin to fade after a long day, so that's why I was thinking that the 15th might be a better time to tackle this.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

79

OTTO: And I think that's backward. I think the 25th (sic) is during the day and the 18th is in the evening.

BOWERMAN: Those weren't two of the dates that we talked about, so let's get that down.

OTTO: So the date certain for the hearing would be August 15th which is an evening or August 22nd which is during the day. And then the work session could be the afternoon of August 8th that we already have a placeholder on. And, Chair, if you're okay, I want to just make sure that works with Oliver and his team.

BOWERMAN: And does it, Oliver?

ORJIAKO: Thank you, Kathleen, and thank you, Councilors. I'm just conferring with our consultant, she's out completely in August, so she will not be available in August, that is our consultant.

What I may suggest, and it's only a suggestion, Councilors, since there is no objections to the amendment to the text putting the housing and in the land use, I may suggest that the Council approve those text changes since there are no objections or concerns relating to them and then give us opportunity and more time to work on the code.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

80

It's my understanding that based on the testimony and written comment that we are almost 90 percent, if not 90 percent there, so give us more time to work on the code. There is no time frame for you to amend Title 40, you can amend that at any time, but to approve the text amendment to both the land use and the housing.

If you recall, we are going to come to the Council I believe it's August 15th for the adoption of all the actions that you have taken for the 2022 Annual Reviews and because you have already asked that we not, you know, consider plan amendment and docket issues until the completion of the plan amendment or the periodic comp plan that we're going through now.

So with that I would like at least for the fact that we don't want to keep moving the goalpost, that you approve the text amendments and then give us opportunity to work on the code and then come back.

MEDVIGY: So if I may, Madam Chair. I just want to make sure we're, I mean I've gotten so many e-mails on suggested changes, I like your suggestion, I just want to make sure that we're talking about the same set of amendments because that's the direction right now.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

81

I mean, that was my comment about what is the downside if we make these changes that are being recommended, you know, what are we going to lose out in the community. I mean, I still have nightmares about that blue factory out by Washington State University that the County approved and because of design issue failures of our code. Anyway, go ahead.

ORJIAKO: I'm making a distinction between the comp plan text and the code. The code is Title 40 and all this proposed code changes are in Title 40. We also made amendment in the comp plan text and in the land use housing element, those text or changes is to make sure that when you adopt this Title 40 code changes that there are consistency, that's all, that is the distinction that I'm making and no one is opposed to those text changes to the comp plan text, that's what I'm, that's the distinction I wanted to make.

BOWERMAN: Okay. Why are you saying that that no one is opposed to the comp plan text changes? I'm not sure where that comes from.

ORJIAKO: Can you repeat your question, Madam Chair.

BOWERMAN: Where does that comment come from that no one is opposed to the comp plan text changes? I don't even, I'm not

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

82

even sure where that comes from or what it means.

ORJIAKO: I see our legal counsel and one of my staff showing up, so I'll turn it over to them, but I think my thought is that this is simultaneous work where often we make changes to the comp plan text when necessary, so that if we are making changes to our Title 40, there is some consistency. So let me turn it over to our legal counsel and maybe Jose.

COOK: Thank you. This is Christine Cook, and the, Madam Chair, the comp plan text is primarily to just define middle housing, there isn't a whole lot else in there, it doesn't have any of these standards or it doesn't talk about driveways, it doesn't talk about ADUs, it's merely to put something in the comp plan so that when code changes are considered there will be comp plan provisions for the code to fit under.

You have to have the plan before you have the code, and this is for that, but they are simple, general and short and the reason why I think Dr. Orjiako said there wasn't any opposition to them is that not one person has said that they are opposed to the comp plan proposals, so literally there is no opposition to them.

YUNG: Chair, I have a clarification question on that.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

83

BOWERMAN: Go ahead.

YUNG: Okay. The question that I asked earlier about zone changing, I would like to have a broader discussion on it especially after we hear from the rep from the City of Vancouver that the, I don't know if that's, if we can verify that or not, but that all the members of the Advisory Group suggested that we go through with the zone change. I think that's what I understood from that conversation, but...

And my clarification question is approving this is that ending the discussion on whether or not we change zones or we keep the zones the same and change the numbers related to them?

ALVAREZ: No, that wouldn't have any impact. I mean, the reason we've proposed the comprehensive plan amendments is that when other jurisdictions have taken similar measures to implement middle housing without doing this step, they've been challenged and it adds to delay and appeals, so we wanted to get in front of that, make sure that it's happening at the same time.

If we're going to, if we want to split this out like has been mentioned, there hasn't been any opposition to the comp plan policy and text changes and that's just to create the framework for the code that's being implemented, the middle housing,

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

84

whether we want to subsequently followup with changing the code, the nomenclature that's something that can be done.

MARSHALL: Chair.

BOWERMAN: Yes, go ahead.

MARSHALL: I have a suggestion. Perhaps it would be helpful just to put, there's only three slides related to the proposed comprehensive plan, and just so people can see how really simple it is.

BOWERMAN: I believe you're asking that something be projected that shows that?

MARSHALL: Yes. I think they're getting it ready.

BOWERMAN: Okay. Great.

MEDVIGY: And as they're bringing it up I understand what Oliver is saying and what was just said and I think we should do it and I would, and I know Sue Marshall's got the slides next to her, I think that's a prudent thing to do. We have dates, I think that's a prudent thing to set.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

85

But I just want to harken back to my one comment, we're still going to be in the same position if we don't have staff get together with our stakeholders, with a Councilor or two to kind of hash out the differences. I think we need, that part hasn't been discussed as a possible way forward, but I think they now have the slide so I'll be quiet.

YUNG: Chair.

BOWERMAN: Let's hear what the definition here is that we're looking forward to.

ELLINGER: Okay. So the Comprehensive Plan changes include the addition of the definition of middle housing and in the glossary and in the text. Next slide. And inclusion in the land use elements, some minor changes. I'm sorry.

HOLLEY: Is this Susan speaking? Who's speaking?

ELLINGER: My apologies, yes. Susan Ellinger, Planner with Community Planning for the record. So minor changes in the land use element. Again, adding the middle housing, modifying, deleting some of the density ranges that are no longer relevant and clarifying some of the density references.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

86

BOWERMAN: Well, for example, what is Bullet Number 2, what are some of the density ranges that aren't relevant anymore? We haven't discussed this I don't think.

ELLINGER: Sure. Could you, I'm sorry, could you pull up Attachment B, and why don't we go to start with Page 11. So this is the first major change, it's on Page 11 of Attachment B, and we're adding references to middle housing as we discussed. We're removing the language for the densities in the single-family residential zones. And we're removing the language relating to in-fill and PUDs for the single-family housing types.

I guess the main point to make here is that with these changes, the different code discussions that you had about the code, all of the changes to the code could be implemented under the comp plan changes that we're suggesting here. They make way for the middle housing types and for the varying densities of the different types of housing that we're proposing.

So whether you were to make changes to the, you know, all of the different things that you've been talking about today, garages or driveway widths, any of those changes could be implemented either way either as proposed or with changes under the Comprehensive Plan changes that we're proposing.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

87

ORJIAKO: That's correct, Councilors, and my comment about no opposition, there were no testimony that anyone is in opposition to the proposed changes to the plan text, that's what I meant by that.

BOWERMAN: Yeah, I understand but I also don't know that there's been any discussion about it.

ORJIAKO: I'm sorry, Madam Chair, it's part of, it was part of our presentation that what is before you is also a proposal to amend those two chapters of the comp plan document.

ELLINGER: So I can continue to go through the specific changes. There's some minor changes, but the next section that has quite a few changes on Page 55 of Attachment B. Keep going down to the bottom of that page. There we go. And then just keep going down just a little bit more if you can show both pages, there we go. Yes, there we go.

So here you can see we're proposing to include some additional language to modify the discussion, at the very top there, the first bullet, the minimum density for single-family and multi-family, adding language there.

And adding the language to allow eight or more dwelling units

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

88

per acre within the Vancouver urban growth area, so just allowing for that additional potential for density. And in the one, two, three, fourth bullet, well, we're proposing to get rid of the minimum density for multi-family language, adding the very different, the varied housing types in the fourth bullet provision for duplexes, triplexes, quadplexes and cottages.

Continuing on, I think it's the sixth bullet provision for diversified single-family and middle housing types, adding that middle housing type that we talked about the definition. And referencing the low density zones rather than the single-family zones. And removing that reference to planned unit development because those types of housing would be allowed in more than just a planned unit development now with this proposal.

So I guess the, again, the real point here is just that this is very generic language and it allows the opportunities for middle housing but does not, is not so specific that it would affect some of the things that you've been talking about today.

MARSHALL: Chair.

BOWERMAN: Yes, go ahead.

MARSHALL: I would like to make a motion that we adopt the

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

89

proposed comprehensive plan text and policy amendment.

MEDVIGY: I'll second that.

BOWERMAN: Discussion?

YUNG: Chair.

BOWERMAN: Yes, go ahead.

YUNG: I think that this would be acceptable as long as we have the assurance that any of the things we've discussed today can still be changed based on an approval of this portion of it, it looks like it.

ELLINGER: Yes, I'm seeing nodding heads.

ORJIAKO: Yes. Any additional change made to the code, these proposed text changes will not affect them.

BOWERMAN: So is there any further discussion? Hearing none, all those in favor signify by saying aye.

YUNG: AYE

BELKOT: AYE

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

90

MEDVIGY: AYE

MARSHALL: AYE

YUNG: Do we need roll call for that?

BOWERMAN: I believe I got three. Was that three?

OTTO: Chair, we need a roll call for this vote.

BOWERMAN: Yeah, we do.

YUNG: AYE

BELKOT: AYE

MEDVIGY: AYE

MARSHALL: AYE

BOWERMAN: NO

BOWERMAN: So the vote is 4 to 1 and it therefore passes on. So with that in mind, how has that moved us forward? What we were going to do was come up with some process things that would enable us as the Council to ask questions that would garner answers that would give us information to help us in decision-making and where do we stand on that now? I mean, I'm not sure how this relates.

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

91

OTTO: Chair, if I can.

BOWERMAN: Go ahead.

OTTO: If, yeah, so if Council, I mean we'll still have to do a motion to continue the hearing to a date certain or we have to repost it, right, for that, but because the consultant is out in August, if Council wants to provide the questions, staff can start working on it and then we can look at September as having the time to come back and have the discussion when the consultant's back and I think that is doable with Community Planning as well --

BOWERMAN: That sounds good.

OTTO: -- that way we're not delaying that, but let me look at some dates in September for you.

BOWERMAN: That sounds good. I'm not sure how what we just did relates but maybe that will evolve or something.

OTTO: Yeah. Yeah, so, Chair, and I might want to wait to make sure that what they said for what the motion just happened on the table, that regardless of if you take the recommendation that's coming before you or amended based on the feedback that

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

92

you got, all that will be able to fall under what was just approved by Council, so that won't prohibit that, so this would still be about the Title 40 changes or proposed changes.

ORJIAKO: If I may, Councilors. This is Oliver again. With your questions you don't have to, I was listening to our legal counsel, Ms. Chris Cook, you don't have to set this to a date certain. We can repost whenever we are ready to have a hearing with you sometime in September, but give us opportunity with your specific questions and what you would like to see changed, we can incorporate that with the concerns coming from other stakeholders, and then when we feel we are ready, we will schedule a hearing before you likely in September.

BOWERMAN: But the extension of the public hearing needs to be noticed on a specific date, does it not?

LOPEZ: Chair, this is Leslie Lopez. No, it will not. So what will happen is my understanding is you can do, A, just a motion to continue but it's not to a date certain, and then at the time that it's ready it will be renoticed for a new hearing.

ORJIAKO: That's correct.

OTTO: And then for the ability to have the discussion with

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

93

staff after their research and stuff has been done, is Council okay with scheduling that via as a work session on September 12th? It's that same placeholder in the afternoon that we already have set aside for Council meetings, so it would be 1:00 on the 12th.

BOWERMAN: So we're in need of a motion to continue the public hearing?

OTTO: Correct.

MEDVIGY: I make the motion to continue.

MARSHALL: I'll second.

BOWERMAN: Further discussion? All those in favor signify by saying aye.

YUNG: AYE

BELKOT: AYE

MEDVIGY: AYE

MARSHALL: AYE

BOWERMAN: AYE


BOWERMAN: Those opposed nay? The motion passes. So that

CLARK COUNTY COUNCIL
VERBATIM TRANSCRIPT OF JULY 25, 2023
PUBLIC HEARING: HOUSING OPTIONS STUDY AND ACTION PLAN

94

concludes our public hearing for the day.

CLARK COUNTY COUNCIL


Karen Dill Bowerman, Chair, District 3


Glen Long, District 1


Michelle Belkoti, District 2


Gary Medvigy, District 4


Sue Marshall, District 5



ATTEST:


Rebecca Messinger, Clerk to the Council

Minutes Transcribed by:
Cindy Holley, Court Reporter/Rider & Associates, Inc.

Rider & Associates, Inc.
360.693.4111